

District Judge Daybook Entry

United States District Court - Southern District of West Virginia at Charleston

Date: 2/4/2016

Case Number 2:14-cr-00276

Case Style: USA vs. Michael E. Burdette

Type of hearing Sentencing

Before the honorable: 2515-Johnston

Court Reporter Ayme Cochran

Courtroom Deputy Staci Wilson

Attorney(s) for the Plaintiff or Government Eric Bacaj, Philip Wright

Attorney(s) for the Defendant(s) Susan Robinson

Law Clerk Charlie Merritt

Probation Officer Matthew Lambert

Trial Time

Non-Trial Time

Court Time

2:35 to 2:59

3:05 to 3:18

Total Court Time: 0 Hours 37 Minutes Non-Trial Time/Uncontested Time

Courtroom Notes

Scheduled Start 2:30 p.m.

Actual Start 2:35 p.m.

Defendant present in person and by counsel for sentencing as to Count One.

Defendant placed under oath.

Court addresses PSR; no remaining objections.

Court adopts findings in PSR.

Court adjudges Defendant guilty pursuant to prior plea.

United States makes an oral motion to reduce Defendant's sentence under 5K1.1. Court addresses memo in support of motion. Court will place memo on the docket. Court GRANTS motion and reduces defendant's base offense level to a level 8.

Court makes U.S.S.G. findings after granting 5K1.1 motion as follows:

Total Offense Level: 8

Criminal History: I

Custody Range: 0-6 months

Supervised Release Range: 1 year

Fine Range: \$2,500 - \$10,000

Assessment: \$25 PAID

Defendant speaks on own behalf.

Counsel speak before sentence is imposed.

Court recessed: 2:59 p.m.

Court reconvened: 3:05 p.m.

After considering advisory U.S.S.G. ranges and Sec. 3553(a) factors, Court imposes sentence as follows:

Probation: 3 years

Fine: \$2,500

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Assessment: \$25 PAID

Court states reasons for sentence imposed.

Defendant released.

Defendant advised of right to appeal.

Court directs that PSR be filed under seal.

Court recessed at 3:18 p.m.